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14 GOOGLE INC.

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 ORACLE AMERICA, INC.,

19 Plaintiff,

20 v.

21 GOOGLE INC.,

22 Defendant.

Case No. 3:10-cv-03561 WHA

**DECLARATION OF DAVID ZIMMER IN
SUPPORT OF GOOGLE INC.'S MOTION
FOR SUMMARY JUDGMENT RE
COPYRIGHT DAMAGES**

Dept.: Courtroom 8, 19th Floor
Judge: Hon. William Alsup

1 I, David Zimmer, declare as follows:

2 1. I am an associate in the law firm of Kecker & Van Nest LLP, counsel to Google
3 Inc. ("Google") in the present case. I submit this declaration in support of Google Inc.'s Motion
4 for Summary Judgment Re Copyright Damages. I have knowledge of the facts set forth herein,
5 and if called to testify as a witness thereto could do so competently under oath.

6 2. Attached hereto as **Exhibit A** is a true and correct copy of Oracle America, Inc.'s
7 Initial Disclosures, served on December 2, 2010.

8 3. Attached hereto as **Exhibit B** is a true and correct copy of Oracle America, Inc.'s
9 Supplemental and Amended Initial Disclosures, served on June 3, 2011.

10 4. Attached hereto as **Exhibit C** is a true and correct copy of Oracle America, Inc.'s
11 Second Amended Initial Disclosures, served on August 10, 2011.

12 5. Attached hereto as **Exhibit D** are true and correct copies of excerpted pages from
13 Plaintiff's Responses and Objections to Defendant Google Inc.'s First Set of Interrogatories to
14 Plaintiff Oracle America, Inc. (Nos. 1-10), served on January 6, 2011.

15 6. Attached hereto as **Exhibit E** are true and correct copies of excerpted pages from
16 Plaintiff's Supplemental Responses to Defendant's Interrogatories, Set No. 1 (Interrogatory Nos.
17 1-10), served on April 25, 2011.

18 7. Attached hereto as **Exhibit F** are true and correct copies of excerpted pages from
19 Plaintiff's Supplemental Responses to Defendant's Interrogatories, Set No. 1 (Interrogatory Nos.
20 1-10), served on July 29, 2011.

21 I declare under penalty of perjury that the foregoing is true and correct and that this
22 declaration was executed at San Francisco, California on May 12, 2012.

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25 By: /s/ David Zimmer
26 DAVID ZIMMER
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